

# CITY ATTORNEY

## **MISSION STATEMENT**

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It is the mission of the Burbank City Attorney's Office to provide prompt and thorough legal advice to the City Council, City officers and employees; to defend and pursue any and all litigation filed against or by the City of Burbank, Burbank Redevelopment Agency, Burbank Housing Authority, and City officers or employees acting within the course and scope of their official duties; and, to fairly and ethically prosecute all misdemeanors and infractions which are committed within the City limits on behalf of the People of the State of California.

## **DESCRIPTION**

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The City Attorney's Office is comprised of three divisions: Departmental Services and Administration, Litigation, and Prosecution. The office employs the City Attorney, ten support attorneys, one paralegal, one administrator, and six support staff members.

Appointed by the Council, the City Attorney serves as general counsel to the City Council, Burbank Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services (YES) Fund Board and is required to attend all meetings. The professional staff of the City Attorney's Office are well-versed in the specialized area of municipal law and related legal areas and provide the depth and breadth of experience and expertise necessary to provide a full range of legal services to the City, its officers and employees.

The Departmental Services staff provide legal support for all transactional matters, including agreements, preparation of resolutions and ordinances, legal opinions, assistance and legal representation to the City Council, Burbank Redevelopment Agency, Burbank Housing Authority, all city departments and many boards and committees. The Prosecution Division prosecutes misdemeanor violations of State and local laws, and initiates criminal and Civil Code compliance actions. The Litigation Division of the City Attorney's Office represents the City, its officers and employees in legal actions brought by and against the City and its various related bodies. The City Attorney's Office continually strives to provide excellent and complete legal representation within the City's budgetary parameters.

## **OBJECTIVES**

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- Provide the highest quality legal support and response to questions and issues that arise at weekly City Council meetings.
- Be proactively involved with other City departments on a daily basis in providing ongoing legal advice and counsel on a multitude of projects and subjects, and by attending meetings, hearings and participating in conference calls.
- Promote an "open door policy" throughout the City Attorney's Office by encouraging departments to communicate directly to an individual attorney with whom they regularly interact.
- Be active participants in the City Manager's "Team Approach" to problem solving and project management, which involves extensive collaboration, early issue detection and input from other departments.
- Respond aggressively to all litigation and to provide semi-annual status reports to the City Council on all pending litigation.
- Encourage staff to attend conferences and training to further enhance their expertise in specific areas of law.
- Prepare and review all routine resolutions, ordinances and agreements in a timely manner.
- Review and update Burbank Municipal Code modifications and changes.
- Continue a high success rate in the prosecution of misdemeanor cases.
- Facilitate the collection of all court ordered restitution for independent victims, as well as for City property and services.
- React immediately to volatile or emergent situations.

## **CHANGES FROM PRIOR YEAR**

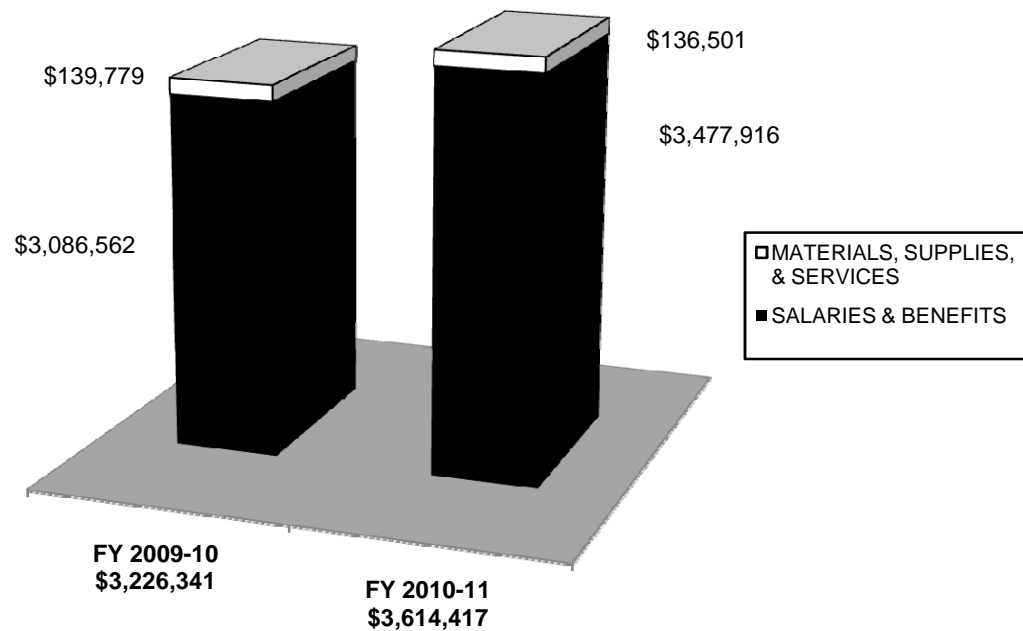
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There have been a few changes in the City Attorney's Office budget this year. Library related contractual services have been eliminated. This service will now be handled completely in-house to meet budget requirements. The City Attorney's Office has also added two new positions in the Litigation Division: a Senior Assistant City Attorney position and a Legal Secretary position.

## DEPARTMENT SUMMARY

	EXPENDITURES 2008-09	BUDGET 2009-10	BUDGET 2010-11	CHANGE FROM PRIOR YEAR
Staff Years	19.000	19.000	21.000	2.000
Salaries & Benefits	\$ 3,140,777	\$ 3,086,562	\$ 3,477,916	\$ 391,354
Materials, Supplies, Services	194,041	139,779	136,501	(3,278)
<b>TOTAL</b>	<b>\$ 3,334,818</b>	<b>\$ 3,226,341</b>	<b>\$ 3,614,417</b>	<b>\$ 388,076</b>

## CITY ATTORNEY *Department Summary*



# Departmental Services and Administration Division

001CA01A

The overall goal of this division is to carry out the policies and directives established by the City Council. This Division provides legal opinions, prepares or reviews all resolutions and ordinances, drafts, negotiates, reviews and approves all contracts involving very complex transactions such as: Disposition and Development Agreements (DDA's), real property leases, sales and acquisitions, cable and telecommunications agreements, software purchasing and licensing agreements, golf course operations agreements, public works construction and electrical services agreements. It reviews bond documents and coordinates with bond counsel, advises Boards, Commissions and City staff on Redevelopment and Housing matters, land use, personnel, contracts and leases. This division also handles all administrative functions of the City Attorney's Office, including personnel administration and budget coordination. Many of the attorneys provide ongoing in-service training to various departments.

## **BUDGET HIGHLIGHTS**

There have been several reductions made to the Departmental Services and Administrative division budget, mainly affecting library resources.

### **DIVISION SUMMARY**

	<b>EXPENDITURES 2008-09</b>	<b>BUDGET 2009-10</b>	<b>BUDGET 2010-11</b>	<b>CHANGE FROM PRIOR YEAR</b>
<b>Staff Years</b>	10.700	10.700	10.750	0.050
<b>Salaries &amp; Benefits</b>	\$ 1,774,360	\$ 1,868,759	\$ 2,004,323	\$ 135,564
<b>Materials, Supplies, Services</b>	171,099	120,724	116,140	(4,584)
<b>TOTAL</b>	<u>\$ 1,945,459</u>	<u>\$ 1,989,483</u>	<u>\$ 2,120,463</u>	<u>\$ 130,980</u>

# Litigation Division

001CA02A

This division is responsible for representing the City, the Redevelopment Agency, and all City employees in litigation filed by and against the City and/or the Redevelopment Agency. These cases typically include multi-plaintiff and defendant federal civil rights suits, multi-plaintiff and multi-defendant employment discriminations suits, sidewalk trip and fall and other dangerous condition-type cases, auto accidents, construction dispute cases, and specialized litigation dealing with prominent public issues. This division has also been involved in a number of cases relative to the purchase and sale of electricity and natural gas, including anti-trust litigation and several class action suits pertaining to environmental issues. This division also interacts proactively with various City departments to implement practices and policies which may prevent future or increased liability. The attorneys also provide ongoing training as part of this proactive approach to litigation prevention.

## BUDGET HIGHLIGHTS

The Litigation Division continues to save budgeted monies on training for multiple departments by providing in-house service training to various City departments. In addition to providing training for multiple departments, the City Attorney's Office is now a Mandatory Continuing Legal Education (MCLE) Provider and is able to provide much of the MCLE training required by the attorneys in-house as well. Two positions, a Senior Assistant City Attorney and a Legal Secretary, have been added to the Litigation Division this fiscal year.

## DIVISION SUMMARY

	EXPENDITURES 2008-09	BUDGET 2009-10	BUDGET 2010-11	CHANGE FROM PRIOR YEAR
Staff Years	4.950	4.050	7.250	3.200
Salaries & Benefits	\$ 808,035	\$ 781,140	\$ 1,166,884	\$ 385,744
Materials, Supplies, Services	14,616	11,004	9,973	(1,031)
<b>TOTAL</b>	<b>\$ 822,651</b>	<b>\$ 792,144</b>	<b>\$ 1,176,857</b>	<b>\$ 384,713</b>

# Prosecution Division

001CA03A

This Division prosecutes City ordinance violations, as well as misdemeanor violations under State law, including Penal, Vehicle, Health & Safety, and Burbank Municipal Codes. The Prosecution Division is also responsible for processing court-ordered restitution collected for victims. Staff assigned to this Division routinely train and coordinate with both the Burbank Police Department and the Burbank Superior Court which greatly enhances the filing and prosecution of criminal cases.

## BUDGET HIGHLIGHTS

The Prosecution Division is the only division producing revenue for the City Attorney's Office by collecting the Restitution Administrative Fee. This fee is paid by criminal defendants to the City, essentially offsetting some of our costs of collecting restitution.

## DIVISION SUMMARY

	EXPENDITURES 2008-09	BUDGET 2009-10	BUDGET 2010-11	CHANGE FROM PRIOR YEAR
Staff Years	3.350	4.250	3.000	(1.250)
Salaries & Benefits	\$ 558,382	\$ 436,663	\$ 306,709	\$ (129,954)
Materials, Supplies, Services	8,326	8,051	10,388	2,337
<b>TOTAL</b>	<b>\$ 566,708</b>	<b>\$ 444,714</b>	<b>\$ 317,097</b>	<b>\$ (127,617)</b>

# Departmental Services and Administration Division

001CA01A

		EXPENDITURES FY 2008-09	BUDGET FY 2009-10	BUDGET FY 2010-11	CHANGE FROM PRIOR YEAR
STAFF YEARS		10.700	10.700	10.750	0.050
SALARIES & BENEFITS					
60001	Salaries & Wages	\$ 1,299,948	\$ 1,392,467	\$ 1,511,074	\$ 118,607
60006	Overtime	6			
60012	Fringe Benefits	446,875	471,804	488,761	16,957
60022	Car Allowance	4,055	4,488	4,488	
60031	Payroll Adjustment	23,476			
		<b>1,774,360</b>	<b>1,868,759</b>	<b>2,004,323</b>	<b>135,564</b>
MATERIALS, SUPPLIES, SERVICES					
DISCRETIONARY					
62055	Outside Legal Services	\$ 20,192			
62140	Special Services	36			
62170	Private Contractual Services	4,885	3,000		(3,000)
62170.1000	Private Contractual - Elections	1,972			
62170.1001	Private Contractual - Staffing	2,999			
62170.1002	Telecom & Cable Negotiations	10,817			
62300	Special Departmental Supplies	107	109	109	
62310	Office Supplies	7,903	7,187	6,487	(700)
62425	Library Resource Materials	35,673	30,047	30,047	
62440	Office Equip Maint & Repair	370	370	370	
62455	Equipment Rentals	4,161	3,370	3,370	
62700	Memberships & Dues	6,843	6,855	6,855	
62710	Travel	1,495	2,000	1,800	(200)
62755	Training	10,774	11,200	10,100	(1,100)
62755.1001	Training - Mariposa Leadership	5,319			
62895	Miscellaneous	1,885	1,280	1,280	
NON-DISCRETIONARY					
62220	Insurance	25,656	27,976	30,104	2,128
62241.1000	Print Shop	46			
62485	F535 Comm Equip Rental	13,927	12,927	12,927	
62496	F537 Computer Equip Rental	16,039	14,403	12,691	(1,712)
		<b>171,099</b>	<b>120,724</b>	<b>116,140</b>	<b>(4,584)</b>
<b>PROGRAM TOTAL</b>		<b>\$ 1,945,459</b>	<b>\$ 1,989,483</b>	<b>\$ 2,120,463</b>	<b>\$ 130,980</b>

# Litigation Division

001CA02A

		EXPENDITURES FY 2008-09	BUDGET FY 2009-10	BUDGET FY 2010-11	CHANGE FROM PRIOR YEAR
STAFF YEARS		4.950	4.050	7.250	3.200
SALARIES & BENEFITS					
60001	Salaries & Wages	\$ 593,287	\$ 590,469	\$ 873,949	\$ 283,480
60012	Fringe Benefits	202,566	190,671	292,935	102,264
60022	Car Allowance	451			
60031	Payroll Adjustment	11,731			
		<b>808,035</b>	<b>781,140</b>	<b>1,166,884</b>	<b>385,744</b>
MATERIALS, SUPPLIES, SERVICES					
DISCRETIONARY					
62055	Outside Legal Services	\$ 3,782			
62140	Special Services	2,761	3,155	2,675	(480)
NON-DISCRETIONARY					
62496	F537 Computer Equip Rental	8,073	7,849	7,298	(551)
		<b>14,616</b>	<b>11,004</b>	<b>9,973</b>	<b>(1,031)</b>
<b>PROGRAM TOTAL</b>		<b>\$ 822,651</b>	<b>\$ 792,144</b>	<b>\$ 1,176,857</b>	<b>\$ 384,713</b>

# Prosecution Division

001CA03A

		EXPENDITURES FY 2008-09	BUDGET FY 2009-10	BUDGET FY 2010-11	CHANGE FROM PRIOR YEAR
STAFF YEARS		3.350	4.250	3.000	(1.250)
SALARIES & BENEFITS					
60001	Salaries & Wages	\$ 395,579	\$ 323,272	\$ 216,650	\$ (106,622)
60006	Overtime	50			
60012	Fringe Benefits	152,369	113,391	90,059	(23,332)
60031	Payroll Adjustment	10,384			
		<b>558,382</b>	<b>436,663</b>	<b>306,709</b>	<b>(129,954)</b>
MATERIALS, SUPPLIES, SERVICES					
DISCRETIONARY					
62060	Prosecution Assistance	\$ 275	\$ 500	\$ 3,000	\$ 2,500
62140	Special Services	2,721	2,721	3,201	480
NON-DISCRETIONARY					
62496	F537 Computer Equip Rental	5,330	4,830	4,187	(643)
		<b>8,326</b>	<b>8,051</b>	<b>10,388</b>	<b>2,337</b>
<b>PROGRAM TOTAL</b>		<b>\$ 566,708</b>	<b>\$ 444,714</b>	<b>\$ 317,097</b>	<b>\$ (127,617)</b>

***CITY ATTORNEY***  
**AUTHORIZED POSITIONS**

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CLASSIFICATION TITLES Full Time	STAFF YEARS 2008-09	STAFF YEARS 2009-10	STAFF YEARS 2010-11	CHANGE FROM PRIOR YEAR
CITY ATTORNEY	1.000	1.000	1.000	
CHIEF ASST CITY ATTY	1.000	1.000	1.000	
SR ASST CITY ATTY	7.000	7.000	8.000	1.000
ASST CITY ATTORNEY	1.000	1.000	1.000	
DEPUTY CITY ATTORNEY	1.000	1.000	1.000	
LITIGATION PARALEGAL	1.000	1.000	1.000	
LAW OFFICE ADMINISTRATOR	1.000	1.000	1.000	
LEGAL SECRETARY	5.000	3.000	4.000	1.000
LEGAL SECTRL CLERK	1.000	3.000	3.000	
 TOTAL FULL TIME	 19.000	 19.000	 21.000	 2.000
 <b>TOTAL STAFF YEARS</b>	 19.000	 19.000	 21.000	 2.000

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